



4910-13

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2021-0632; Airspace Docket No. 21-ASW-11]

RIN 2120-AA66

Proposed Amendment of J-8 and V-140, and Establishment of T-422 in the Vicinity of Kingfisher, OK

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to amend Jet Route J-8 and VHF Omnidirectional Range (VOR) Federal airway V-140, and establish Area Navigation (RNAV) route T-422 in the vicinity of Kingfisher, OK. The Air Traffic Service (ATS) route modifications are necessary due to the planned decommissioning of the VOR portion of the Kingfisher, OK, VOR/Tactical Air Navigation (VORTAC) navigational aid (NAVAID) which provides navigational guidance for portions of J-8 and V-140. The VOR portion of the VORTAC is being decommissioned as part of the FAA's VOR Minimum Operational Network (MON) program.

DATES: Comments must be received on or before [INSERT DATE 45 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER.]

ADDRESSES: Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, 1200 New Jersey Avenue SE, West Building Ground Floor, Room W12-140, Washington, DC 20590; telephone: (800) 647-5527, or (202) 366-9826. You must identify FAA Docket No. FAA-2021-0632; Airspace Docket No. 21-ASW-11 at the beginning of your comments. You may also submit comments through the Internet at <https://www.regulations.gov>. FAA Order 7400.11E, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at https://www.faa.gov/air_traffic/publications/. For further information,

you can contact the Rules and Regulations Group, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591; telephone: (202) 267-8783. The Order is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of FAA Order 7400.11E at NARA, email: fr.inspection@nara.gov or go to <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

FOR FURTHER INFORMATION CONTACT: Colby Abbott, Rules and Regulations Group, Office of Policy, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591; telephone: (202) 267-8783.

SUPPLEMENTARY INFORMATION:

Authority for this Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would modify the route structure as necessary to preserve the safe and efficient flow of air traffic within the National Airspace System (NAS).

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal.

Communications should identify both docket numbers (FAA Docket No. FAA-2021-0632; Airspace Docket No. 21-ASW-11) and be submitted in triplicate to the Docket Management Facility (see “ADDRESSES” section for address and phone number). You may also submit comments through the Internet at <https://www.regulations.gov>.

Commenters wishing the FAA to acknowledge receipt of their comments on this action must submit with those comments a self-addressed, stamped postcard on which the following statement is made: “Comments to FAA Docket No. FAA-2021-0632; Airspace Docket No. 21-ASW-11.” The postcard will be date/time stamped and returned to the commenter.

All communications received on or before the specified comment closing date will be considered before taking action on the proposed rule. The proposal contained in this action may be changed in light of comments received. All comments submitted will be available for examination in the public docket both before and after the comment closing date. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRMs

An electronic copy of this document may be downloaded through the Internet at <https://www.regulations.gov>. Recently published rulemaking documents can also be accessed through the FAA’s web page at https://www.faa.gov/air_traffic/publications/airspace_amendments/.

You may review the public docket containing the proposal, any comments received and any final disposition in person in the Dockets Office (see “ADDRESSES” section for address and phone number) between 9:00 am and 5:00 pm, Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours at the office of the Operations Support Group, Central Service Center, Federal Aviation Administration, 10101 Hillwood Parkway, Fort Worth, TX, 76177.

Availability and Summary of Documents for Incorporation by Reference

This document proposes to amend FAA Order 7400.11E, Airspace Designations and Reporting Points, dated July 21, 2020, and effective September 15, 2020. FAA Order 7400.11E is publicly available as listed in the ADDRESSES section of this document. FAA Order 7400.11E lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

Background

The FAA is planning decommissioning activities for the VOR portion of the Kingfisher, OK, VORTAC in May 2022. The VOR portion of the Kingfisher, OK, VORTAC is a candidate VOR identified for discontinuance by the FAA's VOR MON program and listed in the final policy statement notice, "Provision of Navigation Services for the Next Generation Air Transportation System (NextGen) Transition to Performance-Based Navigation (PBN) (Plan for Establishing a VOR Minimum Operational Network)," published in the *Federal Register* of July 26, 2016 (81 FR 48694), Docket No. FAA-2011-1082.

Although the VOR portion of the Kingfisher VORTAC is planned for decommissioning, the co-located DME portion of the NAVAID is being retained to support Performance Based Navigation (PBN) procedures.

The existing ATS route dependencies to the Kingfisher, OK, VORTAC NAVAID are Jet Route J-8 and VOR Federal airway V-140. With the planned decommissioning of the VOR portion of the Kingfisher, OK, VORTAC, the remaining ground-based NAVAID coverage in the area is insufficient to enable the continuity of these affected ATS routes. As such, proposed modifications to the routes would result in the creation of a gap in J-8 and the creation of two gaps in V-140.

To overcome the proposed gaps in the routes, instrument flight rules (IFR) traffic could use adjacent ATS routes, including Jet Routes J-6, J-14, J-20, J-78, and J-98 in lieu of the affected J-8 segment and VOR Federal airways V-14, V-272, V-436, and V-440 in lieu of the affected V-140 segment or receive air traffic control (ATC) radar vectors to fly through or

circumnavigate the affected area. Additionally, IFR pilots equipped with RNAV capabilities could also navigate point to point using the existing fixes that will remain in place to support continued operations through the affected area. Visual flight rules (VFR) pilots who elect to navigate via the airways through the affected area could also take advantage of the adjacent VOR Federal airways or ATC services listed previously.

Further, the FAA proposes to establish an RNAV route T-422 between the Panhandle, TX, VORTAC and the Tulsa, OK, VORTAC to, in part, mitigate the proposed removal of the V-140 airway segment affected by the planned decommissioning of the Kingfisher VOR. Also, establishing T-422 would provide RNAV routing capability between the Amarillo, TX, area eastward to the Tulsa, OK, area; as well as, support ongoing FAA NextGen efforts to transition the NAS to performance-based navigation.

Prior to this NPRM, the FAA published a rule for Docket No. FAA-2020-0654 in the *Federal Register* (85 FR 79425; December 10, 2020), amending VOR Federal airway V-140 by removing the airway segment between the London, KY, VOR/Distance Measuring Equipment (VOR/DME) and the Bluefield, WV, VOR/DME. That airway amendment, effective February 25, 2021, is included in this NPRM.

The Proposal

The FAA is proposing an amendment to 14 CFR part 71 by modifying Jet Route J-8 and VOR Federal airway V-140, and establishing RNAV route T-422. The planned decommissioning of the VOR portion of the Kingfisher, OK, VORTAC has made this action necessary.

The proposed Jet route change is outlined below.

J-8: J-8 currently extends between the Needles, CA, VORTAC and the Casanova, VA, VORTAC. The FAA proposes to remove the route segment overlying the Kingfisher, OK, VORTAC between the Borger, TX, VORTAC and the Springfield, MO, VORTAC. The unaffected portions of the existing route would remain as charted.

The proposed VOR Federal airway change is outlined below.

V-140: V-140 currently extends between the Panhandle, TX, VORTAC and the London, KY, VOR/DME; and between the Bluefield, WV, VOR/DME and the Casanova, VA, VORTAC. The FAA proposes to remove the airway segment overlying the Kingfisher, OK, VORTAC between the Burns Flat, OK, VORTAC and the Tulsa, OK, VORTAC. The unaffected portions of the existing airway would remain as charted.

The proposed new RNAV T-route is outlined below.

T-422: T-422 is a proposed new route that would extend between the Panhandle, TX, VORTAC and the Tulsa, OK, VORTAC. This RNAV route would mitigate the proposed loss of the V-140 airway segment proposed to be removed (above) between the Burns Flat, OK, VORTAC and the Tulsa, OK, VORTAC and provide RNAV routing capability between the Amarillo, TX, area and the Tulsa, OK, area.

All of the NAVAID radials listed in the ATS route descriptions below are unchanged and stated in True degrees.

Jet routes are published in paragraph 2004, VOR Federal airways are published in paragraph 6010(a), and United States RNAV T-routes are published in paragraph 6011 of FAA Order 7400.11E, dated July 21, 2020, and effective September 15, 2020, which is incorporated by reference in 14 CFR 71.1. The ATS routes listed in this document would be published subsequently in the Order.

FAA Order 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

Regulatory Notices and Analyses

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under Department of Transportation (DOT)

Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1F, "Environmental Impacts: Policies and Procedures" prior to any FAA final regulatory action.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

PART 71--DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

§71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.11E, Airspace Designations and Reporting Points, dated July 21, 2020, and effective September 15, 2020, is amended as follows:

Paragraph 2004. Jet Routes.

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J-8 [Amended]

From Needles, CA; Flagstaff, AZ; Gallup, NM; Fort Union, NM; to Borger, TX. From Springfield, MO; St Louis, MO; Louisville, KY; Charleston, WV; INT Charleston 092° and Casanova, VA, 253° radials; to Casanova.

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Paragraph 6010(a). Domestic VOR Federal airways.

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V-140 [Amended]

From Panhandle, TX; to Burns Flat, OK. From Tulsa, OK; Razorback, AR; Harrison, AR; Walnut Ridge, AR; Dyersburg, TN; Nashville, TN; Livingston, TN; to London, KY. From Bluefield, WV; INT Bluefield 071° and Montebello, VA, 250° radials; Montebello; to Casanova, VA.

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Paragraph 6011. United States Area Navigation Routes.

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T422 Panhandle, TX (PNH) to Tulsa, OK (TUL) [New]

Panhandle, TX (PNH)	VORTAC	(lat. 35°14'06.22"N., long. 101°41'56.51"W.)
Burns Flat, OK (BFV)	VORTAC	(lat. 35°14'13.00"N., long. 099°12'22.20"W.)
BISKT, OK	WP	(lat. 35°48'18.66"N., long. 098°00'14.73"W.)
LASTS, OK	FIX	(lat. 35°59'45.23"N., long. 097°16'24.76"W.)
GULLI, OK	FIX	(lat. 36°00'43.02"N., long. 097°08'39.63"W.)
Tulsa, OK (TUL)	VORTAC	(lat. 36°11'46.51"N., long. 095°47'17.13"W.)

Issued in Washington, DC, on August 4, 2021.

George Gonzalez,
Acting Manager, Rules and Regulations Group.

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